



City Council Regular Meeting Agenda 11/15/05

Call to Order

- Pledge of Allegiance
- Invocation
- Welcome Guests and Visitors

Review and Approval of Minutes

1. October 3, 2005 Special joint meeting with Thomasville
2. October 11, 2005 Pre-agenda Meeting
3. October 18, 2005 Regular City Council Meeting

Public Concerns and Commendations

At this time, citizens are invited to address the City Council. **Speakers must sign up to speak prior to meeting;** when the Mayor calls your name, please step to the lectern and state your name and address for the record; remarks are limited to 3 minutes/speaker; speakers are encouraged to select a spokesperson if several people plan to make similar points. *(Policy adopted 2/17/04)*

Unfinished Business

None

New Business

4. Closed Session Pursuant to NCGS 143-318.11 (a) (4) to discuss matters relating to the location or expansion of industries or other businesses in the area.
5. Cold Brook Ct. street improvements
 - Preliminary Assessment Resolution
6. Contract with Davis-Martin-Powell & Associates, Inc. for professional engineering services relative to Phase 3 Sewer project
7. Colonial Heights Sewer Project – time extension for contractor
8. Deadline for payment of Darr Rd. area tap fees

Business and Closing Comments from Mayor and Council

Business from City Manager

Adjournment

***Public Hearings**

Order of Business

1. Mayor opens public hearing

2. Mayor recognizes appropriate staff personnel for presentation
3. Mayor calls for those wishing to speak in favor of the request
 - Time Limit: 3 minutes per person
 - Mayor may grant an exception to the time limit for the individual who is making the request or his/her designee.
 - Speakers are encouraged to select a spokesperson if there are several people planning to make similar points
4. Mayor calls for those wishing to speak in opposition of the request
 - Time Limit: 3 minutes per person
 - Speakers are encouraged to select a spokesperson if there are several people planning to make similar points
 - Mayor may grant an exception to the time limit for a designated spokesman for the opposition
5. Mayor calls for staff recommendation
6. Mayor closes public hearing
7. Mayor calls for discussion of City Council
8. Mayor calls for vote on the issue

CITY OF TRINITY

Upcoming Meetings and Community Events

All meetings are open to the public - residents are invited and encouraged to attend

Planning & Zoning Board

Meets fourth Tuesday of each month at 7:00 p.m.

Next meeting: Tuesday, November 22, 2005 at 7:00 p.m. at Trinity City Hall

Utilities Committee

Meets first Tuesday of each month at 7:00 p.m. at Trinity City Hall.

Next meeting: Tuesday, December 6, 2005 at 7:00 p.m. at Trinity City Hall

City Council

Meets third Tuesday of each month at 7:00 p.m. at Trinity Memorial United Methodist Church.

Next meeting (Organizational Meeting): Tuesday, December 20, 2005 @ 7:00 p.m.

Pre-agenda meetings are held at City Hall. (No public comment period).

Next meeting: Tuesday December 13, 2005 @ 4:00 p.m.

Christmas in Trinity

The City's popular holiday event will be held Friday Dec. 16. Call City Hall for details.

Save a Stamp...

... and pay your Time Warner cable bills at the Chamber of Commerce office on Balfour St. in Archdale. The Chamber receives a fee for every transaction!



**City Council
Regular Meeting
Tuesday, November 15, 2005
7:00 P.M.**

The regularly scheduled meeting of the Trinity City Council was held on Tuesday, November 15, 2005 at the Trinity Memorial United Methodist Church.

MEMBERS PRESENT: Council members Karen Bridges, Phil Brown, Barbara Ewings, Bob Labonte, Barry Lambeth, Dwight Meredith, Edith Reddick, and Miles Talbert.

MEMBERS ABSENT: Mayor, Jimmy Shore.

OTHERS PRESENT: City Manager Ann Bailie; City Attorney, Allen Pugh and Bob Wilhoit; City Clerk/FO, Debbie Hinson; City Engineer Randy McNeill; Members of the Press; and other interested parties.

Call to Order

Mayor Pro-Tem Brown called the November 15, 2005 Regular Meeting of the Trinity City Council to order at 7:00 pm. Mayor Pro-Tem Brown advised those present that Mayor Shore was absent due to an illness with his mother. He asked that Mayor Shore and family members be kept in their prayers.

Pledge of Allegiance

Council member Ewings led the Pledge of Allegiance.

Invocation

The invocation was given by Council member Lambeth.

Welcome Guest and Visitors

Mayor Pro-Tem Brown welcomed and thanked all persons in attendance and for their interest in the City.

Review and Approval of Minutes

1. October 03, 2005 Special Joint Meeting with Thomasville

Mayor Pro-Tem Brown called for corrections, additions, or deletions to the October 03, 2005 Special Joint Meeting.

Council member Reddick asked that the minutes be changed to reflect her absence from this meeting due to a conflict with her work schedule.

With no other corrections, Council member Lambeth made a motion to approve the minutes with the correction as requested by Council member Reddick. The motion was seconded by Council member Meredith and approved unanimously by all Council members present.

2. October 11, 2005 Pre-Agenda Meeting

Mayor Pro-Tem Brown called for corrections, additions, or deletions to the October 11 2005 Pre-Agenda Minutes.

Council member Reddick discussed the method of voting on the item concerning the meeting with the Planning/Zoning Board as indicated on page 7 of the minutes. After discussion among Council members and Attorney Pugh it was the decision of Council member Reddick to leave the minutes as written.

With no further discussion, Council member Reddick made a motion to approve the minutes as written. The motion was seconded by Council member Talbert and approved unanimously by all Council members present.

3. October 18, 2005 Regular City Council Meeting

Mayor Pro-Tem called for corrections, additions, or deletions to the October 18 2005 Regular City Council Minutes.

Council member Talbert made a motion to approve the minutes as written. The motion was seconded by Council member Bridges and approved unanimously by all Council members present.

Public Concerns and Commendations

None

Unfinished Business

None

New Business

- 4. Closed Session Pursuant to NCGS 143-318.11 (a) (4) to discuss matters relating to the location or expansion of industries or other businesses in the area.**

Mayor Pro-Tem Brown called for a motion to go into Closed Session.

Council member Talbert made a motion for Council to go into Closed Session Pursuant to NCGS 143-318.11 (a) (4) to discuss matters relating to the location or expansion of industries or other businesses in the area, seconded by Council member Lambeth and approved unanimously by all Council members present.

After the motion to adjourn to Closed Session, Council member Lambeth made a motion to allow Attorney Alan Pugh, Engineer, Randy McNeill, City Clerk, Debbie Hinson, Randolph County EDC President, Bonnie Renfro, and Randolph County Public Works Representative, David Townsend to remain in the Closed Session. The motion was seconded by Council member Bridges, and approved unanimously by all Council members present.

After discussion in Closed Session, Council member Bridges made a motion for Council to return to Open Session, seconded by Council member Ewings and approved unanimously by all Council members present.

There was no action taken by Council during the Closed Session.

5. Cold Brook Ct. Street Improvements

▪ Preliminary Assessment Resolution

Mayor Pro-Tem Brown opened this item and called for Manager Bailie to brief Council.

Manager Bailie advised Council members that a petition had been submitted to the City signed by a majority of the property owners who represent a majority of lineal footage along Cold Brook Court. The Clerk has certified the sufficiency of the petition. To move forward with the project, a Preliminary Assessment Resolution must be adopted. The passage of the Resolution requires Council decision on the following four (4) issues:

1. Percentage of costs to be assessed.
2. Basis for assessment.
3. Terms of installment payments.
4. Date of public hearing

After a brief discussion the following motions were made in regards to the above listed requirements.

1. Percentage of costs to be assessed; *Council member Bridges made a motion that the percentage of costs to be assessed be 50% of the cost of the improvements, seconded by Council member Lambeth and approved unanimously by all Council members present.*

2. Basis for assessment; *Council member Lambeth made a motion that the basis for assessment be a per lot basis based on the total of 7 lots, seconded by Mayor Pro-Tem Brown, and approved unanimously by all Council members present.*

3. Terms of installment payments; *Council member Ewings made a motion that the terms of the installment payments be 10 annual installments; with an interest rate of eight (8%) percent per year.*

4. Date of public hearing; *Council member Bridges made a motion to adopt the Preliminary Assessment Resolution and set the date of the public hearing for December 20, 2005, seconded by Council member Meredith, and approved unanimously by all Council members present.*

6. Contract with Davis-Martin-Powell & Associates, Inc. for Professional Engineering Services Relative to Phase 3 Sewer project.

Mayor Pro-Tem opened this item and asked Manager Bailie to brief Council.

Manager Bailie advised Council this contract with the engineering firm was necessary to begin implementing Phase 3 of the City's sewer plans. This contract is almost identical with the contract approved earlier by Council with this firm for Phase 2 except for the dollars. She discussed the percentage of the fees that were allowed by Rural Development in comparison with the costs as shown on the contract from Davis- Martin, Powell and Associates. At this time, Manager Bailie turned discussion over to Mr. McNeill.

Mr. McNeill advised Council that staff and his firm had met with Rural Development to discuss this contract. We had fees that were similar to this and after meeting with Rural Development we refined our costs in accordance with their desires. The costs actually went down in some areas.

With no further discussion, *Council member Talbert moved to make a motion to contract with Davis- Martin-Powell and Associates, seconded by Council member Ewings, and approved unanimously by all Council members present.*

7. Colonial Heights Sewer Project – Time Extension for Contractor

Mayor Pro-Tem Brown opened this item and asked Mr. McNeill to brief Council on this item.

Mr. McNeill discussed with Council Terry's Plumbing request for a time extension for completion on the Colonial Heights Project. Mr. McNeill discussed the difficulty this firm had experienced due to the amount of rock that had been encountered as well as the good faith efforts shown by the same contractor toward the city during the construction of the Phase 1 and 1B Phase projects by holding his prices, and moving from the site and back without increasing the costs to the city. Also, the city delayed the start of the Colonial Heights Project due to the legal issues brought about by the discrepancies with M& M Builders bid for this project. This contractor did not increase the original price of the bid from bid opening until the time he was awarded this project.

Since the contractor did not ask for any additional funds, we do not recommend that the City charge the full amount allowed for liquidated damages. Mr. McNeill discussed how these damages were calculated as well as the amount of dollars involved if Council decided to grant the six (6) month extension requested. There has been no extra cost to Trinity because of the extra rock this contractor has encountered. The only soft costs that will be incurred by Trinity are the lost revenues that would have been generated by residents living in this area for the six (6) month extension period.

It is our recommendation that the City continues to monitor the contractor's work. We will want him to continue to make daily progress even if the city does grant this time extension. He will have to make a continuous effort to finish this project, as well as probable supplement to this project with additional crews, and no delays from this project to delay the Phase 1B extensions. If the contractor can meet these stipulations, it is our recommendation that the contractor be held responsible for the additional costs for engineering services.

Council member Bridges and Mr. McNeill discussed the time period required for DENHR approval. Mr. McNeill advised council that this did not deal with the DENHR Review Agency approval but the DENHR financial group approval done by Construction Grants and Loans. One of their requirements is the acquisition of all easements prior to the release of funds. We have been allowed to proceed even though we have not acquired all of the necessary easements. The City Right of Way agent is negotiating with the property owners and Manager Bailie in an effort to meet the property owner's demands without excessive costs to the city and its citizens.

Council member Bridges discussed references to provide service to the lands west of the Subdivision included in the draft letter. After discussion, Mr. McNeill advised council that the bullet point and references to this could be deleted from the letter if it was Council's desire to remove reference to this item. **Bullet point # 4 and any other references relating to providing service to the lands west of the subdivision addressed in this contract is to be deleted from the letter.**

Council member Lambeth made a motion to grant the time extension with the consideration that the contractor does not pull off of this job and meets the other criteria discussed by Mr. McNeill. Council member Ewings seconded the motion. The motion and second was approved unanimously by all Council members present.

8. Deadline for Payment of Darr Rd. Area Tap Fees

After Mayor Pro-Tem opened this item Manager Bailie discussed the advantages of setting a deadline for collection of tap fees. This will give us ample time to explain the process of hooking into the system as well as offering a discounted tap fee to persons who do not qualify for free taps.

After discussion between Mayor Pro-Tem Brown, Council members, and Manager Bailie, *Council member Bridges made a motion to set 11/01/2006 as the deadline for the discounted tap fee, seconded by Council member Ewings and approved unanimously by all council members present.*

Business and Closing Comments from Mayor and Council

December Meeting

Council member Reddick asked if the meeting date for December was confirmed with the church.

The City Clerk advised Council that she had booked the church one (1) year in advance through a calendar with Ms. Johnson of the church.

Business from City Manager

Manager Bailie discussed the following items:

Community Meeting

Manager Bailie discussed the flyer placed at Council's place concerning this meeting. She stressed the importance of Council's attendance as well as their encouragement to their neighbors and city residents to attend. This is an opportunity to tell our facilitator what we want to see Trinity look like and how we want to see Trinity grow. This meeting is scheduled for Thursday, December 08, 2005 at Trinity Memorial United Methodist Church. This will be an interactive and participatory meeting.

Thoroughfare Overlay District

Manager Bailie advised Council that copies of the Thoroughfare Overlay District discussed at the Pre-Agenda Meeting had been placed at each one's seat. Manager Bailie asked for comments from Council member Talbert regarding this issue.

Council member Talbert advised members that he would review the information that was presented with Mr. Stumb and Council prior to the Annual Retreat. I would like to have your questions and comments so that I can have the opportunity to get the answers and meet with each of your individually prior to the retreat where we can review the final document. I will have to work this out based on how Mr. Stumb and I are able to work on resolving the requested changes.

Annual Retreat

Council member Reddick asked Manager Bailie if a date had been set for the Annual Retreat. Manager Bailie asked if Council would like to keep the same location, Radisson Hotel in High Point, and Ms. Ginger Booker as the Retreat Facilitator. Manager Bailie advised Council that she would explore possible dates for this Retreat to be held in January and would contact them with possible dates for the Retreat.

It was the consensus of Council that the Annual Retreat be held at the Radisson Hotel and that Ms. Booker facilitate the meeting.

Christmas In Trinity

Manager Bailie advised Council this event had been scheduled to take place at Trinity Elementary School on December 16, 2005. Diana is trying to line up a hot dog dinner for this event. We will advise Council on the start time later.

Adjournment

Prior to adjournment, Mayor Pro-Tem Brown read the Upcoming Meetings and Community Events. With no further business to discuss, Mayor Pro-Tem Brown called for a motion to adjourn the November 15, 2005 Regular Meeting of the Trinity City Council.

Council member Ewings moved to make a motion to adjourn, seconded by Council member Meredith, and approved unanimously by all Council members present.

These minutes were approved as written and under the Mayor James D. Shore by the Trinity City Council at their December 20, 2005 at their Regular Meeting upon motion by Council member Bridges, second by Council member Talbert and approved unanimously by all Council members present.